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5                   UNITED STATES DISTRICT COURT  
6                   WESTERN DISTRICT OF WASHINGTON  
7                   AT SEATTLE

8                   YAO YANG,

9                   Petitioner,

10                  v.

11                  ALBERTO R. GONZALES, et al.,

12                  Respondents.

CASE NO. C07-31-RSL-MJB

ORDER OF DISMISSAL

13                  The Court, having reviewed petitioner's 28 U.S.C. § 2241 petition, all papers and exhibits  
14                  in support and in opposition to that petition, the Report and Recommendation of the Honorable  
15                  Monica J. Benton, United States Magistrate Judge, and the remaining record, does hereby find  
16                  and ORDER:

17                  (1)       The Court adopts the Report and Recommendation.  
18                  (2)       Petitioner's § 2241 petition, Dkt. #1, is DENIED; respondents' motion to dismiss,  
19                          Dkt. #8, is GRANTED, and this action is DISMISSED with prejudice.  
20                  (3)       The Clerk is directed to send copies of this Order to the parties and to Judge  
21                          Benton.

22                  DATED this 10<sup>th</sup> day of August, 2007.

23                          

24                          Robert S. Lasnik  
25                          United States District Judge